

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5884 of 2007()

CRIME NO.88/2007 OF KORATTY POLICE STATION

PETITIONER/ACCUSED NO.3:

SANTHOSH, S/O. CHANDRAN,
KUZHUPPILLY HOUSE, ATTAPADAM DESOM.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J
= = = = =
B.A.No.5884 of 2007
= = = = =

Dated this the 1st day of October, 2007

ORDER

Application for regular bail . The petitioner faces allegations under Section 395 IPC. He, along with the accused had allegedly attacked the victims who were carrying a huge amount of cash in an auto rickshaw on 26.2.07. The petitioner was arrested in this crime long later on 1.9.07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. The petitioner may now be enlarged on bail, it is prayed. The learned Public Prosecutor opposes the application. The nature of the allegations and gravity of the crime may be borne in mind. The petitioner has several other similar earlier cases also against him. The petitioner may not be enlarged on bail at this early stage, submits the learned Public Prosecutor.

3. Having considered all the relevant inputs, I do certainly find merit in the opposition by the learned Public Prosecutor. This I am satisfied, is a fit case where the Investigator must be given further time to complete the investigation. Suffice it to say that on an anxious consideration of all the relevant inputs including the nature and gravity of the allegations, stage of investigation etc., I am not persuaded to

grant regular bail to the petitioners at this early stage. Investigators in a serious crime like this are certainly entitled to further time to complete the investigation.

4. In the result, this petition is dismissed. However, I may hasten to observe that the petitioner shall be at liberty to move this court or the courts below for bail again at a later stage of the investigation not, at any rate, prior to 15.10.2007. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE